

BEFORE HON'BLE NATIONAL GREEN TRIBUNAL, WESTERN ZONE BENCH AT- PUNE

Original Application No. 62 of 2020 WZ

I.A. No. 21/2023 & I. A. No. 25/2020

Dagadkhan Asanghtit Kamgar Parishad, Maharashtra

.....} Applicant.

VERSUS

State of Maharashtra & Others

.....} Respondents.

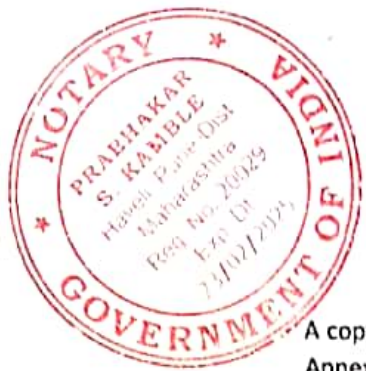
AFFIDAVIT IN COMPLIANCE OF THE ORDER DATED 28TH MARCH, 2023.

I, Sheetal Despande, Executive Engineer, Engineering Division No.1, PMRDA & Authorized Signatory of the Respondent No.3 is filing this Affidavit in compliance of the order passed by this Hon'ble Tribunal dated 28th March, 2023 giving comments about the Development Charges being collected by the PMRDA as the Special Planning Authority for the village Wagholi for granting permission for construction in this area as per Government Resolution dated 14-07-2021 and also collecting Development Charges for sanctioning the plans as under:

- 1) The Respondent No.1 was not collecting any Drainage Development and Solid Waste Management any sanitary cess. In fact, it has been appointed as a Special Planning Authority excluding the Local Authorities as per the Notification dated 18-01-2018. The copy of the said Notification dated 18-01-2018 is enclosed as an Annexure-B in my earlier counter-affidavit to the MPCB-Affidavit dated 04th March, 2022 at page no. 413 to 415. The Local Authorities including Gram Panchayats are collecting huge revenue by imposition of municipal sanitary taxes, but do not want to spend on solid waste management. CEO, ZP, Pune have received the funds out of the Central & State Funds for Solid Waste Management as mentioned in my previous affidavit dated 15th November, 2021 at Para-17 at page-326.
- 2) As far as the Development Charges collected by the PMRDA during its period for grant of construction-permissions and sanctions of plans, recently a meeting was conducted at the Chamber of Municipal Commissioner, Pune on 23rd February, 2023 to make available purified water for Mhalunge-Man Town Planning Scheme. It was decided as under:

Development Works in progress in the Villages included in the PMC area or Tender basis Works in progress in 11 & 23 villages of earlier PMRDA- Areas should be completed and thereafter no further Development Works should be taken in these 34 villages included in the PMC by the PMRDA.

The Distribution of Development Charges and Premium Amount after deducting Government Part and Administrative Expenditure Incurred by the PMRDA as well as Other Expenditures with the Expenditures Incurred on actual site on the Development Works started should be done. Out of the remaining amount 75% to be transferred to the PMC and 25% will remain with the PMRDA.



A copy of the True Translation of the Office Note of March, 2023 is enclosed & marked as an Annexure- 1. Therefore, now the Development Charges except already spent with the expenses incurred on the collection and State Government Part, nothing will remain with the PMRDA. Therefore, it will not be responsible for any environmental compensation for the legacy waste, which includes earlier legacy waste also.

Solemnly affirmed on this 21st day of 2023 at Pune.

Affiant

Authorized Signatory

(Sheetal Deshpande)
Executive Engineer
Engineering Div-1
PMRDA, Pune

Verification

I, Sheetal Deshpande, Executive Engineer, Engineering Div-1, PMRDA, Pune Age----- years, occupation-service, do hereby state on solemn affirmation that the contents of paragraph 1 and 2 of this affidavit are true & correct to the best of my knowledge and belief. All annexure thereto are true copies of record available with me.

Authorized Signatory

(Sheetal Deshpande)
Executive Engineer
Engineering Div-1
PMRDA, Pune

NOTED & REGISTERED
AT. SR. NO.: 1187/2023



BEFORE ME

PRABHAKAR S. KAMBLE
ADVOCATE & NOTARY
GOVERNMENT OF INDIA
S/1111, Kirti Park, Pune-18

21 APR 2023

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Annexure - 1

TRUE TRANSLATION OF MARATHI- OFFICE NOTE DATED 14-03-2023 IN RESPECT OF DEVELOPMENT WORK OF 34 VILLAGES INCLUDED IN THE PUNE MUNICIPAL CORPORATION JURISDICTION ALONGWITH THE DEVELOPMENT FEES TO BE TRANSFERRED INTO ENGLISH

OFFICE NOTE

Date /03/2023

Subject: Water Purification Scheme to be provided for Mhalunge-Man Town Planning

Scheme No.1.

Reference: 1) Meeting Conducted on 23rd January, 2023 for the Implementation of Water

Purification Scheme to be provided for Mhalunge-Man Town Planning Scheme,

2) Meeting with Metropolitan Commissioner (Mahanagar Ayukta)



Submitted to Mahanagar Ayukta. P.M.P.V.P., Pune

A Meeting was conducted at the Chamber of Municipal Commissioner, Pune on 23rd February, 2023 to make available purified water for Mhalunge-Man Town Planning Scheme. The following Divisional Heads were present

Sr. No.	Name of the Divisional Head	Designation of the Divisional Head of Attended Organization Representative Officer
1	Vikram Kumar	Municipal Commissioner, PMC.
2	Rahul Mahiwal	Mahanagar Ayukta, P.M. P.V.P. Pune.
3	Deepak Singla	Additional Ayukta, P.M. P.V.P. Pune.
4	Ashok Bhalkar	Chief Engineer, Engineering Dept.No.1, P.M. P.V.P. Pune.
5	Sunil Marale	Joint Director, TP & Mahanagar Planner, Development Permission Dept., P.M. P.V.P. Pune.
6	Vijay Kandgave	Superintendent Engineer, P. Engineering Department No.1, P.M. P.V.P. Pune.
7	Sheetal Deshpande	Executive Engineer, Engineering Department No.1, P.M. P.V.P. Pune.

Hon'ble Municipal Commissioner, Pune Municipal Corporation has issued the following directions.

Sr. No.	Points Raised in the Meeting	Implementation Section	Directives given by the Hon'ble Municipal Commissioner, PMC
1	About making available Purified Water for Town Planning Scheme No.1	PMC and PMRDA	To Provide Pipeline for Purified Water -Line from the Water Purification Centre at Warje up to the Water Purification Scheme being provided for Mhalunge-Man Town Planning Scheme No.1, PMRDA, Pune and install Pumping Station (along with the Electrical & Mechanical Works) for which approval is granted. It was decided to incur 100% expenditure of the said works by the PMRDA. PMRDA to transfer 100% Amount to the PMC & laying down Pipeline for Purified Water - Line Works and Pumping Station will be done



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			through PMC Water Supply Department as decided unanimously.
2	Regarding Development Works in 34 Villages Included in the PMC.	PMC & PMRDA	Development Works progress in the Villages Included in the PMC area or Tender basis Works in progress in 11 & 23 villages of earlier PMRDA- Areas should be completed and thereafter no further Development Works should be taken in these 34 villages Included in the PMC.
3	Regarding transfer of Development Charges to the PMC in respect of 34 villages included in the PMC.	PMRDA	The Distribution of Development Charges and Premium Amount after deducting Government Part and Administrative Expenditure incurred by the PMRDA as well as Other Expenditures with the Expenditures incurred on actual site on the Development Works started to be done. Out of the remaining amount, 75% will be transferred to the PMC and 25% will remain with the PMRDA.

Minutes are submitted for the approval.

Sd/-

(Sheetal Deshpande)

Executive Engineer.

Sd/-

(Sunil Marale)

Mahanagar Planner.

Sd/-

(Ashok Bhalkar)

Chief Engineer.

Sd/-

(Deepak Singala) (IAS)

Additional Mahanagar Ayukta.

Sd/-

(Rahul Mahiwal)

Mahanagar Ayukta, PMRDA, Pune.

Sd/-

(Vikram Kumar)

Commissioner

Pune Municipal Corporation, Pune.

True copy

Sheetal

(शितल देशपांडे)

कार्यकारी अभियंता

अभियांत्रिकी विभाग क्र.२

पुणे महानगर प्रदेश विकास प्राधिकरण, पुणे